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(n/k/a JAPAN DISPLAY INC.), HITACHI
AMERICA, LTD., HITACHI ASIA, LTD.,
AND HITACHI ELECTRONIC DEVICES
(USA), INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re Cathode Ray Tube (CRT) Antitrust Litigation,

NO. 07-CV-5944-SC
MDL NO. 1917

This Document Relates To:

Electrograph Systems, Inc. et al. v. Technicolor SA, et al., No. 13-cv-05724;

**DECLARATION OF JAMES
MAXWELL COOPER IN SUPPORT
OF MITSUBISHI ELECTRIC
CORPORATION, MITSUBISHI
ELECTRIC US, INC., AND
MITSUBISHI ELECTRIC VISUAL
SOLUTIONS AMERICA, INC.'S
MOTION TO SEAL PORTIONS OF
THEIR REPLY IN SUPPORT OF
THEIR MOTION TO DISMISS LATE-
FILED COMPLAINTS ON TIMING
GROUNDS PURSUANT TO CIVIL
LOCAL RULES 7-11 AND 79-5(d)**

Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust v. Technicolor SA, et al., No. 13-cv-00141;

Best Buy Co., Inc., et al. v. Technicolor SA, et al.,
No. 13-cv-05264;

Interbond Corporation of America v. Technicolor SA, et al., No. 13-cv-05727;

Office Depot, Inc. v. Technicolor SA, et al., No. 13-cv-05726;

[Civil L.R. 79-5(d)]

**COOPER DECLARATION IN SUPPORT OF MITSUBISHI
ELECTRIC'S ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

No. 07-5944-SC; MDL No. 1917

1 *Costco Wholesale Corporation v. Technicolor SA,*
 2 *et al.*, No. 13-cv-05723;
 3
 4 *P.C. Richard & Son Long Island Corporation, et al.*
 5 *v. Technicolor SA, et al.*, No. 13-cv-05725;
 6
 7 *Schultze Agency Services, LLC v. Technicolor SA,*
 8 *et al.*, No. 13-cv-05668;
 9
 10 *Sears, Roebuck and Co. and Kmart Corp. v.*
 11 *Technicolor SA, et al.*, No. 3:13-cv-05262;
 12
 13 *Target Corp. v. Technicolor SA, et al.*, No. 13-cv-
 14 05686

9 I, James Maxwell Cooper, declare as follows:

10 1. I am a member of the bar of the State of California and an attorney at the law firm of
 11 Kirkland & Ellis LLP, counsel for defendants Hitachi, Ltd., Hitachi Displays, Ltd. (n/k/a Japan
 12 Display Inc.), Hitachi America, Ltd., Hitachi Asia, Ltd., and Hitachi Electronic Devices (USA), Inc.
 13 (collectively, the “Hitachi Defendants”).

14 2. Except for those matters stated on information and belief, about which I am informed
 15 and believe to be true, I have personal knowledge of the facts stated herein and, if called as a
 16 witness, I could and would competently testify thereto.

17 3. On June 18, 2008, the Court approved a “Stipulated Protective Order” (Dkt No. 306).

18 4. On February 7, 2014, Defendants Mitsubishi Electric Corporation, Mitsubishi Electric
 19 US, Inc., and Mitsubishi Electric Visual Solutions America, Inc., (“Mitsubishi Electric”) filed an
 20 Administrative Motion to Seal (Dkt. No. 2374), and lodged conditionally under seal, pursuant to
 21 Civil Local Rules 7-11 and 79-5(d), portions of their Reply in Support of Defendants Mitsubishi
 22 Electric to Dismiss Late-Filed Complaints on Timing Grounds (“Reply”) that contain information
 23 from documents or deposition testimony that the Hitachi Defendants have designated “Confidential”
 24 or “Highly Confidential.”

25 5. Pursuant to Civil Local Rule 79-5(d), I make this declaration on behalf of the Hitachi
 26 Defendants to provide the basis for the Court to maintain under seal certain documents and
 27 information quoted from, described, or otherwise summarized in the Reply that have been

designated by the Hitachi Defendants as “Confidential” or “Highly Confidential” pursuant to the Stipulated Protective Order.

6. Specifically, the Reply references or quotes directly from portions of Direct Action Plaintiffs' Opposition to Mitsubishi's Motion to Dismiss Complaints (Dkt. No. 2358-3) ("Motion") designated by the Hitachi Defendants as "Confidential" or "Highly Confidential" under the terms of the Stipulated Protective Order and previously subject to administrative motions to file under seal in this case that the Court has granted.

7. I am informed and believe that page 12 lines 3-7 of the Reply quotes from, describes, or otherwise summarizes portions of Direct Action Plaintiffs' Opposition to Mitsubishi's Motion to Dismiss Complaints that quote from, describe, or otherwise summarize documents or information that the Hitachi Defendants have designated as "Confidential" or "Highly Confidential," and previously subject to administrative motions to file under seal in this case that the court has granted.

8. I am informed and believe that the documents and information quoted from, described, or otherwise summarized in the Reply consist of, cite to, or identify confidential, nonpublic, proprietary, and highly sensitive business information about the Hitachi Defendants' business practices, pricing practices, confidential business agreements, and competitive positions. The documents describe relationships with companies that remain important to the Hitachi Defendants' competitive position. I am informed and believe that this is sensitive information and public disclosure of this information presents a risk of undermining the Hitachi Defendants' business relationships, would cause them harm with respect to their competitors and customers, and would put the Hitachi Defendants at a competitive disadvantage.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Executed this 11th day of February, 2014, at San Francisco, California.

/s/ James Maxwell Cooper
James Maxwell Cooper